



## Recap of the Legislative Week

**By Senator Morgan McGarvey**

It's been great weather for fish.

I've worn out a pair of windshield wipers since the beginning of the 2020 session, driving to and from Frankfort in the rain.

Maybe it's the gray gloom and dim drizzle that dampened legislators' enthusiasm for quick action on important bills. Few have been sent to the governor for signature. Indeed, little news is trickling out of the House on its version of the biennial budget, which will be the major work of this legislative meeting.

As for major work, I could mention the three proposed amendments to Kentucky's constitution that we passed this week, but they still must be approved by both chambers, the governor and voters. This work is only partly done.

We have changed our basic governing document 42 times since it was adopted in 1891. We did it most recently in 2018 with something called Marsy's Law, which earned 63 percent of voters' support but failed in the state Supreme Court. Chief Justice John Minton said at the time, "Our

constitution is too important and valuable to be amended without the full amendment ever being put to the public." He insisted that such a change "requires a meaningful, thoughtful opportunity for the voters to know what they are voting on."

The Senate approved a new effort this week, in the form of Senate Bill 15, a proposed amendment incorporating the basic principles of Marsy's Law, which grants crime victims the right to be notified of court proceedings related to their case, reasonable protection from the accused perpetrator, timely notice of the accused's release or escape and restitution paid by the convicted. It was approved 31-6, but there are real bipartisan concerns voiced by the bill's opponents that it could unfairly slow and complicate the justice system's processes.

(The day after we took up that amendment was the beginning of both Lent and the fish fry season. *The Courier-Journal* just listed the dates for 42 such events in local parishes. This is something a politician ignores at his or her peril. I head to St. Agnes this weekend. In Genesis it says God gave us dominion over the fishes. Lent is annual proof.)

We approved a second proposed constitutional amendment, in the form of Senate Bill 58, prompted by the 428 post-election pardons issued by outgoing Gov. Matt Bevin, which were greeted with a firestorm of bipartisan criticism. SB 58 would let voters decide if a governor's pardoning power should be curtailed from 30 days before an election through the beginning of the next gubernatorial term. I voted yes, despite misgivings – including those set forth in the floor amendment I proposed that was defeated, in order to move the bill along for possible improvement in the House. As I told colleagues, "I think this is an important conversation to have", and I have reason to believe this is not the final version that will be presented to the voters. SB 58 passed, 33-4.

A third proposed amendment, in the form of Senate Bill 62, would restore voting rights to those convicted of felonies, excluding sex offenses, violent offenses and offenses against a child. It passed 29-7. On the plus side, a five-year waiting period was removed by amendment.

Only dead fish always go with the flow. I voted no because the amendment comes nowhere close to automatically restoring a person's voting rights. If passed by voters, SB 62 requires the legislature to determine who can have their rights restored and when. However, the constitutional language restricting who may have their rights restored is so broad many of our fellow tax-paying citizens will never be eligible to vote. I also believe SB 62 would undo Gov. Beshear's restoration of voting rights to 140,000 former felons. Ultimately, I voted against this bill because, as written, I think it would remove more voting rights than it would restore.

While the Senate was working on proposed constitutional changes, the House passed HB 32, imposing taxes on vaping materials and other non-cigarette tobacco products. It is estimated to raise \$54.8 million over two years. I hope this discourages the vaping craze that has struck middle schools and high schools very hard. I hope it helps prevent the kinds of medical complications reported among vapers elsewhere. And besides, this was a Republican proposal that was included in the Governor's budget and provides much needed state revenue, which is OK by me.

Any parish fish fry is OK by me too, as I head home for the weekend. Each one has something special to offer. Some people think that fish only tastes right if it swims three times - in water, in butter, and in wine. This is the time of year I prefer hot oil.

Here is more of this week's action:

**SB 55** creates a six-member Blockchain Technology Working Group that will report back to the legislature. Blockchain technology allows secure peer-to-peer sharing of valuable data, without it being compromised. The legislation passed overwhelmingly. I voted yes.

**SB 132** adds holders of personal identification cards issued within a county to the master list of potential jurors for that county. The measure passed unanimously.

**SB 156** directs the Kentucky Department of Education to develop a plan to transition all state-operated secondary vocational education centers to local school districts by July 2024. The bill passed 30-7. I voted yes.

**SB 160** is a reorganization bill that adds the Office of Administrative Services to the Department of Law in the Attorney General office. The proposal passed 36-1. I voted yes.

Lent is a time for introspection, and an author often recommended for Lenten contemplation is our own Wendell Berry. Here are some words of his:

“I come into the peace of wild things  
who do not tax their lives with forethought  
of grief. I come into the presence of still water.  
And I feel above me the day-blind stars  
waiting with their light. For a time  
I rest in the grace of the world, and am free.”



So far this season we've had mostly rain, not winter. Which is a shame, at least for me. I think it's an act of grace to walk among the silent skeletons of trees, under street lamps, in falling snow.

**-END-**

*Pictured speaking at this week's Senate Committee on State and Local Government*